

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

MARY ANN JENNINGS,

Plaintiff,

v.

Case No. 3:20-cv-485-MMH-JBT

KBRwyle TECHNOLOGY  
SOLUTIONS, LLC,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 44; Report), entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on November 29, 2021. In the Report, Judge Toomey recommends that Defendant's Memorandum in Support of Motion to Dismiss (Dkt. No. 25; Motion) be granted to the extent that the federal claims in Plaintiff's Second Amended Complaint be dismissed with prejudice, and the state claims be dismissed without prejudice to refile in state court. See Report at 1-2, 9. Plaintiff has failed to file objections to the Report, and the time for doing so has now passed.

The Court "may accept, reject, or modify, in whole or in part, the finding or recommendations by the magistrate judge." 28 U.S.C. § 636(b). If no specific

objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \*1 (M.D. Fla. May 14, 2007).


Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Report and Recommendation (Dkt. No. 44) is **ADOPTED** as the opinion of the Court.
2. Defendant's Memorandum in Support of Motion to Dismiss (Dkt. No. 25) is **GRANTED** to the extent that the federal claims in Plaintiff's Second Amended Complaint are **DISMISSED with prejudice** and the state claims are **DISMISSED without prejudice** to refile in state court.

3. The Clerk of Court is directed to terminate all pending motions and deadlines as moot and close the file.

**DONE AND ORDERED** in Jacksonville, Florida, this 16th day of December, 2021.

  
**MARCIA MORALES HOWARD**  
United States District Judge

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Copies to:

Counsel of Record  
Pro Se Party